APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,840	03/07/2002	William Gabriel Pagan	RSW920010228US1	9436

			EXAMINER
25299	7590	09/24/2004	ROSWELL, MICHAEL

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ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 09/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/092,840	PAGAN, WILLIAM GABRIEL
	Examiner	Art Unit
	Michael Roswell	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 March 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 March 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date *20020307*.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by

Applicant's admitted prior art.

Regarding claims 1 and 7, in Applicant's Fig. 1 and on pages 2-3 of the disclosed

specification, Applicant allows for a pull-down menu in an activated open document

window with a listing of open document windows and corresponding interactive user

interface elements (taught as the ability to select a window through the pull-down menu

using point-and-click methods), and responsive to the activation of one of the interactive

user interface elements, performing a pre-defined window manipulation operation upon

an inactive open document window corresponding to the selected interactive user

interface element (taught as the change of focus from the active window to the selected

inactive window). Inherently, the software of the admitted prior art is stored and

accessed through machine readable storage.

Regarding claims 2 and 8, the admitted prior art teaches generating a window

manipulation event in response to the activation of an interactive user interface element

(the change of focus after the selection of a window from the pull-down menu).

Inherently, the window manipulation event is processed in a message handling routine

associated with the activated open document window, and identifies the inactive open

document window corresponding to the interactive user interface element, posts a

window manipulation event to the identified inactive open document window, and

processes the posted window manipulation event in a message handling routine

associated with the inactive open document window, allowing for the focus control

change from the active window to the selected inactive window. Inherently, the software

of the admitted prior art is stored and accessed through machine readable storage.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

Claims 3-6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Applicant's admitted prior art and Beaudet et al (US Patent 5,491,795), hereinafter

Beaudet.

Regarding claims 3 and 9, the admitted prior art has been shown to teach a pre-

defined window manipulation operation for an inactive window selectable through a pull-

down menu.

However, the admitted prior art fails to explicitly teach performing a window close

operation, print window operation, and a file save operation through the pull-down

window.

Beaudet teaches a window management system wherein a window list is presented to the user and through the manipulation of an interactive element allows for window management operations such as moving, sizing, restoring and closing of windows represented in the window list without changing the focus of the window. See Beaudet, col. 7, lines 17-49. Furthermore, while Beaudet does not explicitly teach the use of a print window or file save operation through the disclosed window management system, such operations are well-known window and file operations and would be obvious to include in the window management of Beaudet, such as in the right-click menu of Microsoft Internet Explorer, that allows the user to print or save a displayed file. The Examiner takes OFFICIAL NOTICE of these teachings.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of the admitted prior art and Beaudet before him at the time the invention was made to modify the pre-defined window manipulation through pull-down menus of the admitted prior art with the interactive window list control system of Beaudet, along with the obvious print and save functions, in order to obtain a pull-down menu listing windows capable of being operated upon through manipulation of an interactive element in the menu.

One would be motivated to make such a combination due to the fact that the pull-down menu presents a list of windows to the user, as does the window control management system of Beaudet. Therefore, in order to save space on screen and allow for an easily accessible window menu, one would be motivated to combine the admitted prior art and Beaudet.

Regarding claim 4, the admitted prior art teaches a pull-down menu disposed in an active open document window, and inherently teaches an event handler configured to post pre-defined window manipulation events to inactive open document windows.

However, the admitted prior art fails to explicitly teach including a set of interactive user elements corresponding to listed open document windows, positioned adjacent to a corresponding open document window.

Beaudet teaches a window management system wherein a window list is presented to the user and through the manipulation of an interactive element allows for window management operations such as moving, sizing, restoring and closing of windows represented in the window list without changing the focus of the window. See Beaudet, col. 7, lines 17-49. As can be seen in Figs. 1, 2, and 4, Beaudet also teaches positioning an interactive element adjacent to the listed name of an open document window.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of the admitted prior art and Beaudet before him at the time the invention was made to modify the pre-defined window manipulation through pull-down menus of the admitted prior art with the interactive window list control system of Beaudet, in order to obtain a pull-down menu listing windows capable of being operated upon through manipulation of an interactive element in the menu.

One would be motivated to make such a combination due to the fact that the pull-down menu presents a list of windows to the user, as does the window control management system of Beaudet. Therefore, in order to save space on screen and allow for an easily accessible window menu, one would be motivated to combine the admitted prior art and Beaudet.

Regarding claim 5, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a button as the interactive element of Beaudet. Applicant has not disclosed that the use of an interactive button provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the right-click menus of Beaudet because the same functions would be ably performed.

Therefore, it would have been obvious to one of ordinary skill in the art to modify Beaudet to obtain the invention as specified in claim 5.

Regarding claim 6, Beaudet has been shown *supra* to teach a close window event associated with an interactive element of the disclosed window management system (see col. 7, lines 45-49).

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art.

Regarding claim 10, in Applicant's Fig. 1 and on pages 2-3 of the disclosed specification, Applicant allows for a pull-down menu in an activated open document window with a listing of open document windows and corresponding interactive user interface elements (taught as the ability to select a window through the pull-down menu using point-and-click methods), and responsive to the activation of one of the interactive user interface elements, performing a pre-defined window manipulation operation upon an inactive open document window corresponding to the selected interactive user interface element (taught as the change of focus from the active window to the selected inactive window). Inherently, operations performed on windows are operating system

services, and thus the admitted prior art teaches performing pre-defined operating

system services manipulations.

Regarding claim 11, the admitted prior art teaches generating a window

manipulation event in response to the activation of an interactive user interface element

(the change of focus after the selection of a window from the pull-down menu).

Inherently, the window manipulation event is processed in a message handling routine

associated with the activated open document window, and identifies the inactive open

document window corresponding to the interactive user interface element, and posts a

window manipulation event to the identified inactive open document window, allowing for

the focus control change from the active window to the selected inactive window.

Inherently, operations performed on windows are operating system services, and thus

the admitted prior art teaches performing pre-defined operating system services

manipulations.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael Roswell whose telephone number is (703) 305-

5914, and at (571) 272-4055 on or after October 18, 2004. The examiner can normally
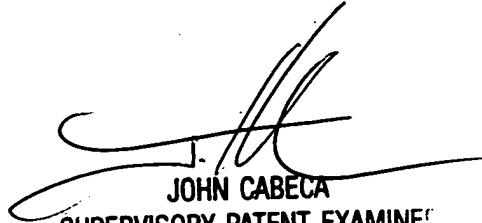
be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (703) 308-3116, and at (571) 272-4048 on

or after October 18, 2004. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
9/17/2004

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